

FISCAL NOTE

SB 791 - HB 1521

February 26, 2007

SUMMARY OF BILL: Includes vehicular homicide in the offenses that are ineligible for pretrial diversion.

ESTIMATED FISCAL IMPACT:

Increase State Expenditures - \$6,500 / Incarceration*

Assumptions:

- The Department of Correction (DOC) estimates one person every three years receives pretrial diversion for vehicular homicide offense. This bill would result in one additional person being admitted to the Department rather than being granted pretrial diversion.
- One Class C felony every three years with 0.9 years time served (328.73 days). The annualized time served per conviction is 108.48 days (0.33 annual number of convictions x 328.73 days served). According to DOC, the average operating cost per inmate per day for calendar year 2007 is \$60.16. The annualized cost per conviction is \$6,526.16 (0.33 x 328.73 x \$60.16).
- No significant incarceration cost increase will occur due to population growth in this period.

*Tennessee Code Annotated, Section 9-4-210, requires that: *For any law enacted after July 1, 1986, which results in a net increase in periods of imprisonment in state facilities, there shall be appropriated from recurring revenues the estimated operating cost of such law. The amount appropriated from recurring revenues shall be based upon the highest cost of the next 10 years.*

CERTIFICATION:

This is to duly certify that the information contained herein is true and correct to the best of my knowledge.

A handwritten signature in black ink, reading "James W. White". The signature is fluid and cursive, with the first name "James" and last name "White" clearly legible, and "W." in the middle.

James W. White, Executive Director